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TAGS: [GG](#) [PHUM](#) [PREL](#) [UNC](#)
SUBJECT: NONPAPER ON REVISED UN MANDATE FOR GEORGIA

REF: A. TBILISI 625
[1](#)B. USUN NEW YORK 326

Classified By: Acting EUR A/S Marcie Ries for Reasons 1.4 (B) and (D)

[1](#)1. (C) THIS IS AN ACTION REQUEST. In response to reftels and meetings in Tbilisi, Washington and New York with UN officials, the Department requests that action addressees share the ideas below with MFA officials at the appropriate level to solicit their input. With input from Quad allies and the Government of Georgia, the Department will then formulate a nonpaper to be formally transmitted by USUN to the UN Departments of Peacekeeping (DPKO) and Political Affairs (DPA).

Objective and Talking Points

[1](#)2. (C) Action addressees are requested to solicit input from appropriate MFA officials on the draft language below, which is intended to create a new legal mandate for the UN Mission following the demise of the 1994 Moscow Agreement, and which would also be included in the next Secretary-General's report on Abkhazia, Georgia due on May 15. This new legal mandate, if adopted by the Security Council, would serve as a guide for UN DPKO in developing specific elements of the new mission. We look forward to discussing these specific elements in the near future, in the context of our agreement on the elements of a new mandate, as suggested below.

[1](#)3. (U) Post should draw upon the following points, as well as the draft language in paragraph 4, below:

-- We would like to share with you some preliminary language outlining a new legal mandate for the UN mission in Georgia.

-- This language has not yet been fully cleared through the U.S. interagency process.

-- Prior to providing a final version of our views on the future UN mandate in Georgia to the UN, we would like to solicit your views. We are requesting your comments as soon as possible, since the UN has already begun the process of drafting its report.

-- Our ultimate objectives are six-fold: 1) to monitor all military forces within reasonably broad (approximately 25-30 kilometer), symmetrical restricted-weapons zones on both sides of the ceasefire line, and in the Upper Kodori Valley; 2) to monitor local law enforcement forces and, over time, to co-locate armed UN police in the restricted-weapons zones; 3) to actively create conditions on the ground for the voluntary, safe, and dignified return of internally displaced persons and refugees; 4) to monitor and promote human rights; 5) to coordinate and facilitate the provision of humanitarian aid wherever it is needed; and 6) to promote political dialogue between the parties.

14. (U) We believe UNOMIG,s mandate should be drawn from the August 12, 2008 ceasefire agreement and subsequent clarifying instrument of September 8, 2008, the Secretary-General,s reports of 4 February 2009 and X May 2009, and relevant resolutions of the United Nations Security Council, including 1808 and 1866. On the basis of these considerations, the proposed mandate of the operation in Georgia should include the following elements:

- (a) To contribute to the voluntary, safe, dignified, and sustainable return of internally displaced persons and refugees to the areas of their former residence;
- (b) To contribute to the protection of civilian populations under imminent threat of physical violence and prevent attacks against civilians, within its capability and areas of deployment, without prejudice to the responsibility of the Government of Georgia;
- (c) To monitor, observe compliance with and verify the implementation of the August 12, 2008 ceasefire agreement and subsequent clarifying instrument of September 8, 2008;
- (d) To assist the conflict resolution process and to support the joint mediation efforts of the European Union, United Nations, and Organization for Security and Cooperation in Europe (OSCE) through the Geneva discussions, to broaden and deepen all parties, commitment to the peace process;
- (e) To contribute to the restoration of necessary security conditions for the safe provision of humanitarian assistance and to facilitate full humanitarian access throughout Georgia;
- (f) To contribute to the promotion of respect for international humanitarian law and protection of human rights and fundamental freedoms throughout Georgia;
- (g) To assist in the promotion of the rule of law throughout Georgia;
- (h) To monitor and report on the security situation along the ceasefire line between Georgian and Abkhaz forces.
- (i) To strengthen and support Georgia's sovereignty, independence and territorial integrity within its internationally recognized borders.

In order to achieve these broad goals, the operation,s tasks would include the following:

(a) Security

- (i) To promote the re-establishment of confidence, deter violence and assist in monitoring and verifying the implementation of the August 12, 2008 ceasefire agreement and subsequent clarifying instrument of September 8, 2008, including by actively providing security and robust patrolling of demilitarized, security, and restricted weapons zones, by monitoring the withdrawal of troops and heavy artillery, and by deploying police, including formed police units, in areas where internally displaced persons are concentrated, in the demilitarized and security zones, along key routes of migration and in other vital areas;
- (ii) To monitor, investigate, report and assist the parties in resolving violations of the August 12, 2008 ceasefire agreement and subsequent clarifying instrument of September 8, 2008;
- (iii) To assist in the disarmament, demobilization and withdrawal of troops called for in the August 12, 2008 ceasefire agreement and subsequent clarifying instrument of September 8, 2008;

(iv) To contribute to the creation of the necessary security conditions for the provision of humanitarian assistance and to facilitate the voluntary, safe, dignified and sustainable return of refugees and internally displaced persons to the areas of their former residence;

(v) In the areas of deployment of its forces and within its capabilities: to protect the operation,s personnel, facilities, installations, and equipment; to ensure the security and freedom of movement of United Nations, OSCE and European Union Monitoring Mission (EUMM) personnel, humanitarian workers, and Assessment and Evaluation Commission personnel; to prevent disruption of the implementation of the August 12, 2008 ceasefire agreement and subsequent clarifying instrument of September 8, 2008 by armed groups; and, without prejudice to the responsibility of the Government of the Georgia, to protect civilians under imminent threat of physical violence and prevent attacks and threats against civilians;

(vi) To support the efforts to maintain public order and build the capacity of local law enforcement through specialized training and joint operations;

(vii) To provide technical mine-action advice and coordination and demining capacity to support the August 12, 2008 ceasefire agreement and subsequent clarifying instrument of September 8, 2008;

(b) Rule of law and human rights:

(i) To contribute to the creation of an environment conducive to respect the promotion of human rights and the rule of law, including international humanitarian law, in which all are ensured effective protection;

(ii) To support the parties to the August 12, 2008 ceasefire agreement and subsequent clarifying instrument of September 8, 2008 in restructuring and building the capacity of the police service, including through monitoring, training, mentoring, co-location and joint patrols;

(iii) To monitor and report on observance of international humanitarian law and the human rights situation, in cooperation with the Office of the United Nations High Commissioner for Human Rights, including on the situation of returned refugees and displaced persons;

(c) Internally Displaced Persons and Refugees:

(i) To create appropriate conditions for the safe, voluntary, dignified and sustainable return of internally displaced persons and refugees to the areas of their former residence;

(ii) To maintain offices of the United Nations High Commissioner for Refugees to assist with the return of internally displaced persons and refugees to the areas of their former residence, and to report on progress towards achieving this goal.

(d) Humanitarian assistance:

(i) to facilitate the effective provision of humanitarian assistance and full access to people in need;

(ii) Ensure the security and freedom of movement of United Nations and associated humanitarian personnel;

(e) Support for the peace process and good offices:

(i) To support the good offices of the United Nations Special Representative for Georgia and the mediation efforts of the Special Envoys of the European Union and OSCE;

(ii) To facilitate the preparation and conduct of the Geneva discussions, as stipulated in the August 12, 2008 ceasefire agreement and subsequent clarifying instrument of September 8, 2008;

(iii) To liaise with EUMM and OSCE for the implementation of the August 12, 2008 ceasefire agreement and subsequent clarifying instrument of September 8, 2008 and other stakeholders to ensure complementary implementation of the mandates of EUMM and OSCE for the implementation of the August 12, 2008 ceasefire agreement and subsequent clarifying instrument of September 8, 2008 in Georgia;

Department Point of Contact

15. (U) Department POC is EUR/CARC Conflicts Advisor Mike Carpenter, Tel: 202-647-9677.

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